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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/397,920

09/17/1999

HIDEYUKI SAKAIDA

1982-0136P

9398

7590

04/01/2004

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EXAMINER

COUSO, YON JUNG

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/01/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/397,920

Applicant(s)

SAKAIDA, HIDEYUKI

Examiner

Yon Couso

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,4-13,15,17 and 19-22 is/are allowed.
- 6) ☒ Claim(s) 1,3,14,16 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

1. Applicant's arguments filed February 23, 2004 and March 11, 2004 have been fully considered but they are not persuasive.

The applicant argues that the Hirayabashi does not teach initial image conversion used for the repeated one-half reduction to generate an intermediate image and second image conversion used in the final reduction on the intermediate image to generate the final required number of pixels. The applicant argues that the Hirayabashi performs an initial image conversion step of enlarging an input image in strong contrast to the recited feature of carrying out a first, initial image conversion by obtaining, by a first interpolation calculation, image data represented by a number of pixels which is one-half of the predetermined number of pixels, from the original image data represented by the predetermined number of pixels. It is true that Hirayabashi discloses enlarging the original image (figure 7b) then reduces the enlarged image by half (figure 7c) and then further reduces the image size into  $\frac{1}{2}$  repeatedly until final image is produced (figure 7d and column 5, lines 48-55). While it is true that the Hirayabashi discloses step of enlarging an input image, the examiner is not relying on this step. However, the reference still read on every step recited in the claim by treating the enlarged image in Hirayabashi as an initial original image.

Independent claims 1, 14 and 18 do not distinguish the first conversion from the second conversion. The Hirayabashi reference still reads on them.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 14, 16 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hirabayashi et al.

The arguments advanced in paragraph 1 above as to the applicability of the reference are incorporated herein.

Hirabayashi teaches an image conversion method in which image data represented by a required number of pixels is obtained from original image data represented by a predetermined number of pixels (figure 7b), comprising the steps of: carrying out a first, initial image conversion by obtaining, by first interpolation calculation, image data represented by a number of pixels which is one-half of the predetermined number of pixels, from the original image data represented by the predetermined number of pixels (figure 7c); preparing an intermediate image by repeatedly carrying out the first, initial image conversion at a rate of one-half of the number of pixels, until a number of pixels close to the required number is reached (figure 7d); and carrying out a second image conversion by obtaining, from the intermediate image, image data represented by the required number of pixels (406 in figure 6 and column 5, lines 48-54).

Hirabayashi teaches wherein the intermediate image has a number of pixels, which is greater than and closest to the required number of pixels (figure 7c).

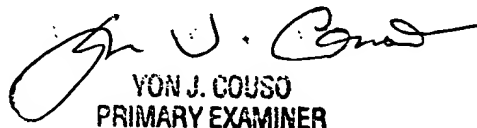
3. Claims 2, 4-13, 15, 17, 19- 22 are allowed.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yon Couso whose telephone number is (703) 305-4779. The examiner can normally be reached on 8:00 am –4:30 pm from Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au, can be reached on (703) 308-6604. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

  
YON J. COUSO  
PRIMARY EXAMINER

Yjc

March 25, 2004